

Special and Regular Meeting of Tuesday, May 11, 2004

Twin Pines Senior And Community Center

SPECIAL MEETING

CLOSED SESSION 7:15 P.M.

A. Conference with Labor Negotiator, Jere Kersnar, pursuant to Government Code Section No. 54957.6

1. MMCEA

2. AFSCME

Attended by Councilmembers Feierbach, Mathewson, Metropulos, City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Human Resources Director Dolan. Councilmembers Bauer and Warden were absent, and City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:25 P.M., this Closed Session was adjourned.

This meeting not tape-recorded or videotaped.

Terri Cook

City Clerk

CALL TO ORDER – 8:50 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Warden, Feierbach, Mathewson, Metropulos

COUNCILMEMBERS ABSENT: Bauer

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Public Works Director Davis, Community Development Director Ewing, City Clerk Cook.

SPECIAL PRESENTATIONS

Proclamation Honoring Steven Kanomata, Eagle Scout.

Mayor Metropulos presented the proclamation in recognition of Steven Kanomata's Eagle Scout achievement.

Steven Kanomata stated that scouting had given him many opportunities as he has advance through his schooling. He thanked the Council for this recognition.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Mathewson stated that he attended a kickoff event for the Belmont Park Boosters upcoming concert series. He also noted that May 20 was Bike-to-Work Day, and that refreshments would be available at the Belmont CalTrain station in the morning.

Councilmember Bauer extended congratulations to his daughter on her recent Bat Mitzvah.

Mayor Metropulos stated that Belmont's annual Farmer's Market was now open on Sundays from 9:00 a.m. to 1:00 p.m. in the CalTrain parking lot. He announced a computer recycling program on May 22 at the Expo Center in San Mateo. He also announced that he had attended Notre Dame de Namur University's recent commencement exercise, and noted they had excellent keynote speakers.

Update from Mayor Metropulos on South San Mateo County Hospital Task Force.

Mayor Metropulos stated that a task force of mayors in San Mateo County had held a series of meetings over the last few months to discuss the impact of and need for the proposed Palo Alto Medical Facility to be located in San Carlos. He added that Sequoia and Kaiser Hospitals planned to remodel on their existing sites. He noted that the consensus of the task force was that the region could support another facility, and it would be encouraging all the facilities to partner with each other to provide work force and charity care.

CONSENT CALENDAR

Councilmember Feierbach requested the removal of Item **4-E** (Resolution Authorizing the Adoption of the Disadvantage Business Enterprise (DBE) Program for Federally Funded Roadway Improvements for use on U.S. Department of Transportation Funded Projects) be removed for separate consideration.

ITEMS APPROVED ON CONSENT CALENDAR

Approval of meeting minutes: Special and Regular Meeting of April 13, 2004.

Motion to waive reading of Ordinances.

Acceptance of Written Communication: 1) Received May 6, 2004, PUC Application for Approval of Transfer by Sale of Bridge Airporter Express.

Approval of Ordinance 1000 Amending the Los Costaños Community Development Plan Pursuant to Health and Safety Code Section 33333.6(e)(2), and Resolution to Elect to Receive Pass Through Payments Pursuant to Health and Safety Code Sections 33607.5 and 33607.7 (second reading and adoption).

Approval of Resolution 9533 to table the initiation of Belmont Shuttle Program.

Action: On a motion by Councilmember Mathewson, seconded by Councilmember Warden, the Consent Agenda, as amended, was unanimously approved by a show of hands.

ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION:

Resolution Authorizing the Adoption of the Disadvantage Business Enterprise (DBE) Program for Federally Funded Roadway Improvements for use on U.S. Department of Transportation Funded Projects.

Councilmember Feierbach stated that she would request in the future that Council be notified as to where these monies are to be spent when they are received.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Feierbach, Resolution 9534 Authorizing the Adoption of the Disadvantage Business Enterprise (DBE) Program for Federally Funded Roadway Improvements for use on U.S. Department of Transportation Funded Projects was unanimously approved by a show of hands.

OLD BUSINESS

Discussion of Hiller Street Traffic Calming Cost Estimates and Direction to City Staff.

Public Works Director Davis stated that staff had met with the Sterling Downs Neighborhood Association to develop options and cost estimates for modifications to

the traffic-calming program in the Sterling Downs neighborhood. He noted that the residents were requesting the application of a slurry seal to reduce confusion from the former street markings, but advised that at a Pavement Index of 78, Hiller Street does not warrant a slurry seal. He stated that both Masonic and Wessex Way need reconstruction, and a slurry seal would not improve its condition. He added that grant monies may be available for reconstruction, and that the pavement markings on Hiller could be completed without any other modifications.

Public Works Director Davis stated that the primary concern of the Sterling Downs neighborhood was the removal of the side street bulb-outs as a trial for the others to be removed subsequent. He advised that staff recommended removal for 90 days to assess the affect on speed. He reviewed the cost estimates and sources of funds, and noted that the use of Measure A funds were not applicable for this work. He suggested that the remainder of the items be placed on list of unfunded projects.

In response to Councilmember Warden's questions regarding the removal of the bulb-outs, Public Works Director Davis clarified that City staff would perform this work, and the costs would be incurred because it was additional work above and beyond their regular workload. City Manager Kersnar added that the costs could be charged to the Redevelopment Agency.

Bill Dickenson, President, Sterling Downs Neighborhood Association, stated that this should have occurred prior to implementing the project. He added that the neighborhood had no pride in the project, and the consensus was to remove all the bulb-outs and treat the street with a fog coat.

Mary Ellen Langley, Highgate Avenue, stated that she provides childcare for her grandchildren who live in Sterling Downs, and this project has created a traffic nightmare, and is a detriment to the neighborhood.

Sean Singer, Chesterton Avenue, stated that the project was ill conceived, the neighborhood does not want it, and it was not acceptable to say that money was not available to remove the devices. He added that the project constituted a safety hazard, and removal of the devices would be money well spent.

Councilmember Bauer stated that nine meetings were held prior to the installation of the project. He added that the devices have caused traffic to slow down, and if people slowed down, they would not be hitting them. He noted that it is difficult to support removal of the devices just after installation, but would go along with the consensus of the Council.

Councilmember Mathewson clarified that the nine meetings primarily addressed the proposed bike bridge. He supported spending the money to remove the devices.

Mayor Metropulos stated that for the next project of this type, all resources should be exhausted in communicating with the neighborhood and the use of temporary devices.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, to remove all of the bulb-out devices, to use the Streets fund to pay for labor costs and the Redevelopment Agency to fund the out-of-pocket expenses, was unanimously approved by a show of hands.

Discussion and Direction on the Traffic Control Devices on Hiller Street at Oxford Street and Biddulph Way.

Public Works Director Davis stated that the relocation of stop signs from Cornish Way and Oxford Way to Biddulph Way was included as part of the Safe Routes to Schools project. He advised that the residents requested the northbound stop sign at Oxford Way be reinstated. He reviewed the guidelines established in 2003 for the installation of stop signs, and noted that there were liability and pollution issues with the addition of any new stop sign.

Public Works Director Davis stated that staff conducted a study before and after relocation of the aforementioned stop signs, and observed that the compliance rate improved to 98 percent subsequent to the relocation. He reviewed other vehicular movement improvements as a result of the relocation of the stop sign. He advised that the staff at Nesbit School supported the current configuration, and that the need for stop sign enforcement had been reduced.

Public Works Director Davis reviewed vehicular and pedestrian volumes. He also reviewed the guidelines for the installation of an all-way stop sign, which advised that all-way stops should not be within 600 feet of each other. Should the one at Oxford be installed, it would be within 100 feet of the other. He noted that Biddulph Way is a more appropriate location due to its proximity to the school, and concluded by saying that the staff recommendation was to adopt a resolution to install an all-way stop at Biddulph and Oxford Way.

Extensive Council discussion ensued.

In response to Council questions, Public Works Director Davis and City Manager Kersnar advised that if stop signs are installed for subjective reasons, there is a potential for liability, and the request of the neighborhood does not meet the established criteria.

City Attorney Savaree stated that the guidelines could be reviewed and modified if desired.

Councilmember Warden stated that other stop signs in the area do not meet the current guidelines, and the issue before Council was how to weigh benefits using traffic volume. Public Works Director Davis clarified that it was no longer difficult to turn left from Oxford, and that the compliance rate of stopping at Cornish was now high.

Councilmember Bauer stated that safety was important, and that Nesbit School supported the current configuration.

Bill Dickenson, President, Sterling Downs Neighborhood Association, stated that a stop sign was needed at Oxford due to site line problems due to the fence height at that location. He added that he respected the liability issue, and suggested a change in the policy.

Councilmember Feierbach questioned why Council had not taken formal action on the relocation of these stop signs prior to now. City Manager Kersnar clarified that the relocation was part of the approved Safe Routes to Schools Plan, but a separate resolution was required for the stop signs.

Councilmember Warden stated that the addition of a stop sign at Oxford might resolve the issue.

Councilmember Bauer stated he supported the staff recommendation since they are the experts, and that he was concerned about liability.

Action: On a motion made by Councilmember Feierbach, seconded by Mayor Metropulos, to retain the stop sign at Biddulph Way and to reinstate the three-way stop sign at Oxford, was defeated by a show of hands (Feierbach/Metropulos yes, Bauer/Warden/Mathewson, no).

Councilmember Warden noted that any Council action would violate established policies. Councilmember Feierbach responded that guidelines are not the law, and if the guidelines are a problem, they should be changed.

In response to Councilmember Warden, Public Works Director Davis responded that survey results before and after the removal of the stop sign at Oxford Way indicated an improved compliance rate from 40 percent to 90 percent, making it a safer intersection.

Action: On a motion made by Councilmember Feierbach, seconded by Councilmember Mathewson, to restore all stop signs to their previous configuration (at Cornish and Oxford, but none at Biddulph) Way, was defeated by a show of hands (Feierbach/Mathewson yes, Bauer/Warden/Metropulos, no).

Mayor Metropulos noted that the school supports the stop sign at Biddulph.

Councilmember Warden stated that this issue was objectivity versus anecdotal measures.

City Manager Kernsar suggested continuation of the item for further staff review.

Councilmember Warden requested information regarding the anecdotal impression of safety at the school under the previous configuration, and he would like input from the neighbors on Oxford. He stated that he was not convinced the current configuration was the best solution, but that subjective information was needed for evaluation.

(At this time, being 10:15 P.M., Councilmember Feierbach left the dais.)

Action: A motion was made by Councilmember Bauer, seconded by Councilmember Mathewson, to continue the matter for further staff review. Councilmember Warden's amendment to include a review of the policies affecting this decision was accepted by Councilmember Bauer. This motion was unanimously approved by a show of hands (4-0, Feierbach not present for the vote).

(At this time, being 10:20 P.M., Councilmember Feierbach returned to the dais.)

NEW BUSINESS

Discussion of proposed Zoning Amendment to Re-designate City-owned Property from HRO-3 to A (Agriculture and Open Space)(Western Hills).

Community Development Director Ewing stated that this item was being presented as a result of previous Council direction to initiate the process for the rezoning of this property.

In response to Councilmember Feierbach, Community Development Director Ewing stated that institutional uses such as schools, churches and libraries were conditional uses in HRO-3, but were permitted rights in Agricultural zone. He added that development in the Agricultural zone was more lenient.

Councilmember Warden commented that this issue came from discussions of the Open Space Recreation Task Force (ORTF), that the intent was to make the zoning more restrictive, and the assumption was that a zoning change from HRO-3 to Agricultural would address this issue. He noted that Community Development Director Ewing was present at more than one meeting of the ORTF, and assumed he was aware of the task force's intent. He recommended that the Planning Commission review this issue and make a recommendation to Council.

Community Development Director Ewing stated that this was the first time he had made the comparison of the two zoning designations. He added that General Plan policies may be more restrictive than these two zoning designations.

Councilmember Bauer stated that the Council's intent is for permanent open space on this property.

Action: On a motion made by Councilmember Bauer, seconded by Councilmember Warden, to request that the Planning Commission review and make a recommendation regarding a proposed Zoning Amendment to Re-designate City-owned Property from HRO-3 to A (Agriculture and Open Space)(Western Hills), was approved by a show of hands (4-1, Mathewson, no).

Discussion and Direction Regarding Updates to Performance Measures

Assistant City Manager Rich reviewed the process of the utilization of performance measures. He noted this program is in its first year, and that some modifications have been made mid-year for a variety of reasons.

In response to Councilmember Feierbach, City Manager Kersnar clarified that the investment in staff time to survey customers will be a benefit in subsequent years to identify important services. Assistant City Manager Rich added that this information benefits the Council in terms of service level, it improves communication between the Council, staff, and the community, and it provides accountability.

Councilmember Warden stated he has supported this system and would like to see the future payoff.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Mathewson, the changes to performance measures, and incorporation of them into the 2004-05 Budget, were unanimously accepted by a show of hands.

PUBLIC COMMENTS AND ANNOUNCEMENTS (continued)

Bill Klieves, Hiller Street, thanked the City for its efforts on the Traffic Calming Program in the Sterling Downs neighborhood. He suggested conducting a survey of the residents. He stated he has difficulty with ingress and egress at his driveway, especially in the early evening. He stated that the vehicular data in the staff report was corrupted because the data collection strips were removed due to friction caused by speeding. He said he was concerned with safety, and recommended re-installing the stop signs and installing a caution light for the school.

MEETING EXTENSION

At this time, being 10:30 P.M., the meeting was extended by 30 minutes.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Cleaning up and modification of Zoning Ordinance section 23.8.5 (Feierbach).

Councilmember Feierbach recommended changing the sign ordinance in the zoning code to address the confusion regarding off-site real estate signs. Community Development Director Ewing added that the regulations also do not regulate size. He also stated that this item would take approximately 25-35 hours of staff time to complete.

City Manager Kersnar suggested placing this item on the priority calendar.

Action: Councilmember Warden made a motion to place this matter on the second level of staff involvement for Item 9 issues to direct staff to pursue this matter as soon as possible.

Council and staff discussion ensued regarding clarification of the scope of this issue. After further consideration, Councilmember Warden withdrew his original motion.

Action: On a motion by Councilmember Warden, seconded by Councilmember Mathewson, and approved unanimously by a show of hands, to place this item on the Council Priority Calendar for future consideration.

ADJOURNMENT at this time, being 10:35 P.M.

Terri Cook

City Clerk

Meeting Tape Recorded & Videotaped

Tape #580